

# MCCATHERN

## SHOKOUI • EVANS

JENNIFER L. FALK  
PARTNER

[jfalk@mccathernlaw.com](mailto:jfalk@mccathernlaw.com)

May 28, 2024

**By CM/ECF**

The Honorable P. Kevin Castel  
Southern District of New York  
500 Pearl St.  
New York, NY, 10007

Application  
is DENIED.  
SO ORDERED  
USDJ  
5-29-24

Re: *United States of America v. Charles Riley Constant, a/k/a "Chuck Constant"; 23 Cr. 379 (PKC)*

Dear Judge Castel:

I write to respectfully request a modification of the release conditions to obtain approval for international employment related travel.

Mr. Constant was arrested on March 22, 2023 in the Eastern District of Texas, where he and his family reside. He was then granted release on March 23, 2023 by Magistrate C. Nowak in the Eastern District of Texas, Sherman Division. As a condition of his release, Judge Nowak allowed him permission to travel, as he works as a pilot for a company providing private and medical charters. At his presentment in the Southern District of New York, the Magistrate revisited his bond conditions and added the additional requirement of posting a bond of \$300,000 total (\$30,000 in cash and the remainder to be secured by 2 financially responsible persons). In addition, upon receipt of the bail disposition sheet, the Court ordered that he only be allowed travel upon consent of the Assistant United States Attorney and approval of Pretrial Services.

Mr. Constant was previously employed as a pilot for a private charter/medical charter company, Professional Aviation Solutions. In March of 2024, Mr. Constant was offered employment with another private charter/medical charter company, Air Flite, Inc. Mr. Constant accepted this employment, and has been flying domestic trips with the approval of the AUSA and his Pretrial Services Officers for the last two

months. Recently, Air Flite, Inc. requested that Mr. Constant pilot an international charter flight to Cabo San Lucas, Mexico for one of the company's clients from June 15<sup>th</sup>, 2024, to June 20<sup>th</sup>, 2024. The travel itinerary for this trip is attached to this letter with sensitive client information redacted. At this time, we are asking the Court to temporarily return Mr. Constant's passport for said travel and to grant him permission to travel internationally between June 15<sup>th</sup>, 2024, and June 20, 2024, pursuant to his employment with Air Flite, Inc.

After conference with the Government, they are opposed and asked I include the following to note their objection: "(t)he Government objects to the defendant's proposed travel outside the United States, especially given that the defendant is scheduled to self-surrender in the near future to serve a term of imprisonment." After speaking with the local Pretrial Services Officer in the Eastern District of Texas, she noted that per policy, the SDNY Pretrial Office asserts no position pertaining to foreign travel. He has been on release for approximately fifteen (15) months with no violations or concerns.

As noted above, we are seeking temporary return of Mr. Constant's passport and approval to travel to Cabo San Lucas, Mexico from June 15<sup>th</sup>, 2024 to June 20<sup>th</sup>, 2024, for employment purposes.

Thank you advance for your consideration of this request.

Regards,

  
Jennifer L. Falk



\*\*\* Confidential \*\*\*

[REDACTED] LLC

[REDACTED]

[REDACTED]

International Travel – N997SS

Travel Dates: June 15, 2024 to June 20, 2024

June 15, 2024

Departure: 1100 CST - GLE (Gainesville, TX)

Arrival: 1400 CST - MMSL (Cabo San Lucas International, Mexico)

Av. Leona Vicario s/n

Mesa Colorado

Cabo San Lucas, BCS 23460

Crew Hotel:

June 15 – 20, 2024

Westin Los Cabos Resort Villas - Baja Point

Carretera Transpeninsular KM 22.5

Los Cabos MX

+52 (624) 509 - 0011

June 20, 2024

Departure: 1300 CST - MMSL (Cabo San Lucas, Mexico)

Arrival: 1600 CST - GLE (Gainesville, TX)

[REDACTED]

\*\*\* Confidential \*\*\*